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COMMITTEE AGAINST TORTURE

Seventeenth session

SUMMARY RECORD OF THE FIRST PART (PUBLIC)* OF THE 280th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 22 November 1996, at 10 a.m.

Chairman: Mr. DIPANDA MOUELLE

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* The summary record of the second part (closed) of the meeting appears as document CAT/C/SR.280/Add.1.

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The meeting was called to order at 10.10 a.m.

STATEMENT BY THE HIGH COMMISSIONER FOR HUMAN RIGHTS

1. Mr. AYALA LASSO (High Commissioner for Human Rights) said that the United Nations was going through a major financial and budgetary crisis with serious practical implications for the Secretariat's activities and involving, in particular, the freezing or abolition of posts and other resources in every department of the Organization. The situation had unfortunately also had an adverse impact in the area of documentation. The Conference Services Division had requested a reduction in the volume of pages of translation for the treaty bodies based in Geneva. It was essential to find a way of complying with that request without adversely affecting the Committee's proceedings.

2. To date, the Committee's documentation had been much less voluminous than that of other treaty bodies, so that its documents had been made available in all working languages for every session. However, care should be taken to ensure that documents in general, and State party reports in particular, were as brief as possible in order to guarantee their continued availability in all languages. Alternatively, the Committee could indicate that particular texts or portions of texts did not need to be translated into one or other of its working languages.

3. The new three-branch management structure of the Centre for Human Rights, which had been planned for some time, had recently been established. All secretariat activities in support of the treaty bodies would be grouped in management unit II (Support Services). The restructuring process was designed, inter alia, to increase transparency and cooperation among the various units of the Centre and to ensure more rational use of staff and resources. He had recently informed the Third Committee of the General Assembly that the same staff that had originally served just a few special rapporteurs were currently serving about 30 special or thematic rapporteurs, special representatives and experts and about 120 institutions. But it was impossible to operate efficiently without an increase in human resources. A transitional period of five to six months would be necessary to finalize the new structure. He trusted that it would be fully operational in time for the Committee's eighteenth session.

4. At the previous session, he had expressed his concern to the Committee at the financial crisis facing the United Nations Voluntary Fund for Victims of Torture. There had been a decline in contributions from 1995, when five regular donor countries had failed to renew their subsidies. A slight increase had been recorded in October 1996 compared with 1995, although the number of donor States had remained the same at 26. For the third consecutive year, the United States of America had contributed US$ 1.5 million. Denmark, Ireland and Luxembourg had increased their contributions, the Netherlands had doubled its contribution, and Saudi Arabia and South Africa had contributed for the first time. A few days previously, he had sent a letter to all States Members of the United Nations encouraging them to support the Fund with generous contributions.

5. The sum available to assist torture victims in 1996 was US$ 2.5 million but the secretariat of the Fund had received requests amounting to over

US$ 5 million for 96 projects and subprojects in 54 countries. In the case of requests that met its selection criteria, the Board of Trustees of the Fund had provided between 30 and 48 per cent of the requested budget, depending on the importance of the treatment given and the number of victims assisted. Priority had been given to organizations that had complied most closely with the Board's requirements regarding narrative and financial reports on the use made of previous subsidies.

6. The Special Rapporteur of the Commission on Human Rights on questions relating to torture unfortunately continued to receive a large number of communications containing reports of torture: a marked increase had been recorded compared with the previous year. Since the beginning of 1996, he had issued 112 urgent appeals to the authorities in 42 countries concerning persons allegedly subjected to torture or at risk of being subjected to torture, usually during incommunicado detention or interrogation. The Special Rapporteur had also sent 64 letters to 59 Governments informing them of allegations of torture he had received. He had visited Pakistan in February 1996 and Venezuela in June 1996 at the invitation of the Governments concerned.

7. The Commission's Working Group on a draft optional protocol to the Convention had just completed its fifth session, at which it had continued its second reading. He took it that Mr. Sorensen, who had attended some of the meetings, had given the Committee a detailed report on the proceedings.

8. The Seventh Meeting of Persons Chairing Human Rights Treaty Bodies had been held in Geneva from 16 to 20 September 1996.

9. An International Conference on Torture had been held by Amnesty International in Stockholm from 4 to 6 October 1996 with a view to preparing a world campaign against torture, to be launched in 1999. Over 120 participants, including United Nations experts, special rapporteurs of the Commission on Human Rights, and representatives of NGOs and police forces had participated in the Conference. Mr. Gonzalez Poblete and Mr. Sorensen had also attended and made a valuable contribution to the proceedings.

10. He reaffirmed that the Committee would enjoy all possible assistance from the Centre for Human Rights and from himself in particular.

11. The CHAIRMAN thanked the High Commissioner for his review of developments of interest to the Committee, in particular the state of the United Nations Voluntary Fund for Victims of Torture. It was encouraging that some States had increased their contributions and that others had contributed for the first time.

12. He assured the High Commissioner that the Committee would continue to do everything in its power to combat torture, which must rank among the greatest of evils, since its object was to undermine and ultimately destroy the personality of the individual.

13. There were currently close on 100 States parties to the Convention against Torture and the Committee's tasks were steadily increasing as more and more country reports were received. There had also been a substantial

increase in activities under articles 20 and 22 of the Convention. If that trend continued, the Committee would eventually find itself completely overburdened and unable to fulfil its mandate, especially since the human and material resources of its secretariat had actually declined as a result of the restructuring process and the financial crisis in the United Nations. The performance of the Committee's secretariat in the current difficult circumstances was beyond praise.

14. Mr. AVALA LASSO (High Commissioner for Human Rights) said that immediately after his appointment he had been urged to give priority to the restructuring of the Centre for Human Rights, which had been severely criticized for lack of coordination between the different units, failure to undertake substantive research and poor administration. On arriving in Geneva, he had been met with a barrage of complaints from Member States, treaty bodies and experts. He had initiated a process of analysis, involving the staff of the Centre, Member States and treaty bodies, during a period of growing financial crisis in the United Nations. That had resulted in an unfortunate tendency to equate the adverse impact of the crisis with the restructuring initiative. The restructuring process had been designed to solve problems that had existed prior to the crisis.

15. The Committee against Torture was not the only treaty body with a growing workload: 186 States had ratified the Convention on the Rights of the Child, 134 the International Covenant on Civil and Political Rights, and 128 the International Covenant on Economic, Social and Cultural Rights. Progress went hand in hand with a heavier workload and if resources failed to keep pace, a crisis was inevitable.

16. He had recently received communications from two treaty bodies commending the services provided by the Centre for Human Rights. Previously such communications had tended to consist solely of complaints. He attributed the improvement to the new spirit prevailing in the Centre since the restructuring process had begun. He assured the Committee that the remaining shortcomings were due to other factors, in particular the financial and budgetary crisis.

17. Ms. ILIOPOULOS-STRANGAS, referring to the increasing volume of communications received by the Committee, said that the nature of its work required thorough and meticulous attention to detail. There was therefore a great need for additional support staff, and particularly French-speaking staff, to be provided by the Centre.

18. Mr. BURNS thanked the High Commissioner for providing a global view of the situation. He appreciated the High Commissioner's effort in the process of reform, and thanked him for the communications he had sent to the Committee describing the implications of the restructuring and for the publication of a human rights newsletter. Both innovations had been extremely useful sources of information on the Centre's activities and had provided invaluable insight into the issues under discussion. He fully supported the restructuring programme, which would undoubtedly enhance the efficiency of the Centre.

19. He agreed with the comments made by Ms. Iliopoulos-Strangas, noting that the Committee relied heavily on an efficient and helpful secretariat.

Nevertheless, despite its increasing workload, the Committee currently had only two persons to handle research and the preparation of drafts. The subject of torture and its prevention required rapid responses and the Committee would benefit greatly from further staffing.

20. Mr. CAMARA joined his colleagues in expressing gratitude to the High Commissioner and said he was keenly interested in the restructuring of the Centre. The Committee was aware of the difficulties the High Commissioner faced in accomplishing his objectives and had every confidence in him.

21. He reiterated the points made by Ms. Iliopoulos-Strangas and said that, given the intricacies of the subject of torture and the legal issues involved, it was vital for members of the Committee to be provided with files in one of the working languages.

22. Mr. DANIELYAN PUBLETO also endorsed the comments made by Ms. Iliopoulos-Strangas on the need for support in dealing with communications and raised the question of the Committee's obligation to comply with the provisions of article 20 of the Convention. It was essential for the Committee to receive the necessary support so that it could act on its own initiative. He proposed that a questionnaire should be sent to all States Parties in order to gather information on vital indicators and to assess their implementation of the Convention. He supported the comments by Mr. Camara and Ms. Iliopoulos-Strangas on the question of working languages.

23. Mr. BURNEY joined the previous speakers in their expressions of appreciation for the opportunity to hold discussions with the High Commissioner. He stressed that visits conducted under the provisions of article 20 placed huge demands on the resources of the secretariat.

24. Mr. YAKOVLEV said that due to the nature of the subject of torture, the Committee made decisions which had direct implications for the fate of actual people. During the deliberations within the Committee, focus was placed on systems of criminal justice and judicial institutions. The actual work of the Committee was broader than its name suggested, in that its recommendations not only protected the lives of individuals but also contributed to the development of systems of justice and democracy.

25. Mr. AYALA LASSO (High Commissioner for Human Rights) thanked the members of the Committee for their warm and generous expressions of support, which he interpreted as a reflection of their serious approach to their work. He assured the Committee that he would personally strive to meet the requests made by speakers.

The public part of the meeting was suspended at 11 a.m. and resumed at 12.40 p.m.

CLOSURE OF THE SESSION

26. After the customary exchange of courtesies, the CHAIRMAN declared the session closed.

The meeting rose at 13.45 p.m.